

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**EXEL TRANSPORTATION SERVICES, §
INC., a Delaware corporation, §**

Plaintiff, §

v. §

**TOTAL TRANSPORTATION SERVICES §
LLC, a Delaware corporation, TOTAL §
TRANSPORTATION SERVICES LP, a §
Delaware limited partnership, MICHAEL §
JOSEPH MUSACCHIO, an individual, §
JOSEPH ROY BROWN, an individual, §
JOHN MICHAEL KELLY, an individual, §
STEVEN BRUCE BOWERS, an §
individual, DOUGLASS WILLIAM LIST, §
an individual, and HAROLD BYRD §
OPPENHEIMER, an individual, §**

Defendants. §

**CIVIL ACTION NO. 3-06cv0593-R
ECF**

**AGREED MOTION TO DISMISS CLAIMS
WITH PREJUDICE AGAINST STEVEN BRUCE BOWERS**

Now comes Exel Transportation Services, Inc., Plaintiff in the above entitled and numbered cause, and files this Agreed Motion to Dismiss with Prejudice, and would show the Court that it does not wish to prosecute this action against Defendant Steven Bruce Bowers.

WHEREFORE, PREMISES CONSIDERED, Plaintiff Exel Transportation Services, Inc. requests the Court to dismiss all causes of action against Defendant Steven Bruce Bowers in the above entitled and numbered cause with prejudice and with costs to be taxed against the party incurring same.

Respectfully submitted,

s/ Michael D. Anderson

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**ATTORNEY FOR DEFENDANT
STEVEN BRUCE BOWERS**

CERTIFICATE OF SERVICE

I hereby certify that on May 7, 2007, I electronically filed the foregoing document with the Clerk of Court for the U.S. District Court, Northern District of Texas, using the CM/ECF system of the Court which will send a "Notice of Electronic Filing" to the following lead attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means:

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